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SIPDIS

FROM USMISSION ICAO

DEPT FOR IO/T, OES/SAT, L/OES, L/T, L/EB, EEB/TRA/OTP
TRANSPORTATION FOR OST
FAA FOR API-20

SIPDIS

E.O. 12958: N/A

TAGS: [AORC](#) [ECPS](#) [ICAO](#) [CA](#)

SUBJECT: ICAO ACKNOWLEDGES U.S. OFFER CONTINUING GPS SERVICES

¶1. The President of the governing Council of the International Civil Aviation Organization (ICAO), Roberto Kobeh, sent a reply to the FAA Administrator, copied to USICAO, affirming ICAO's acceptance of the September 10, 2007 United States' offer to continue worldwide access to the U.S. Global Positioning System-GPS. Text of ICAO's acceptance, which repeats the U.S. offer, is given paragraph two. The exchange of letters renews the pre-existing agreement regarding GPS services between the United States Government and ICAO. A PDF copy of the letter has been emailed to OES/SAT RClare, IO/T LLuftig, EBB/TRA/OTP WDayton, L/EB K Milton, and L/OES M Simonoff, FAA/API JTooren, FAA BCleese, and DOT/OST J Kiser.

¶2. The text of President Kobeh's December 18, 2007 letter is below.

Begin text:

Sir/Madam,

I have the honor to acknowledge receipt of the letter dated September 10, 2007 from Mrs. Marion C. Blakey, Administrator, Federal Aviation Administration, which reads as follows:

(Begin quote of US offer) This letter reaffirms the United States Government's commitment to provide the Global Positioning System-GPS Standard Positioning Service-SPS for aviation throughout the world. Further, the United States commits to provide the Wide-Area Augmentation System (WAAS) service within its prescribed service volume.

More than ten years ago, the United States began providing the GPS SPS. Since 1994, GPS has grown into a global utility whose multi-use services have become essential elements of the worldwide infrastructure. In 2003, the United States commissioned the WAAS Satellite-Based Augmentation System to provide improved space-based positioning, navigation and timing (PNT) service. In 2004, the U.S. Government's GPS management structure was improved by national policy directive to accommodate a more comprehensive approach to planning, resource allocation, and system development. This policy strengthens civil participation in managing GPS and supports state aircraft access to airspace using other using other GPS signals, such as Precise Positioning Service (PPS) where the capability is equivalent.

The U.S. Government maintains its commitment to provide GPS SPS signals on a continuous worldwide basis, free of direct user fees, enabling worldwide civil space-based PNT services (to include GPS SPS augmentation), and to provide open, free access to information necessary to develop and build equipment to use these services.

The U.S. Government commits to providing single frequency WAAS

signals on a nondiscriminatory basis, free of direct user fees, throughout the area of coverage of WAAS satellites within its prescribed service volume and to provide open free access to information necessary to develop and build equipment to use these services. WAAS provides new and improved aviation capabilities for satellite-based vertical-guidance procedures, consistent International Civil Aviation Organization initiatives. The U.S. Government has concluded arrangements with Canada and Mexico that extend the WAAS service in North America and is supporting testing and development of WAAS capabilities for the Western Hemisphere.

The U.S. Government plans to take all necessary measures for the foreseeable future to maintain the integrity, reliability, and availability of the GPS SPS and WAAS service and expects to provide at least six years' notice prior to any termination of such operations or elimination of such services.

All of the above commitments are subject to the availability of funds as required by United States law.

The availability of GPS and WAAS signals is not intended in any way to limit the right of any State to control the operations of aircraft and enforce safety regulations within its sovereign airspace. Furthermore, the United States expects that standards and recommended practices (SARPS) developed by the ICAO will continue to be compatible with GPS operations and vice versa, and that States will be free to augment GPS in accordance with appropriate SARPS.

I (FAA-Blakey) would greatly appreciate your confirmation that the ICAO is satisfied with the foregoing political commitments, which I submit in lieu of an agreement. In that event, this letter and your reply will comprise the continued mutual understanding between the Government of the United States and the ICAO regarding the provision and use of space-based navigation services." (End quote of U.S. offer)

I (ICAO Pres. Kobeh) am pleased to inform you that the arrangements contained in the foregoing are acceptable to the International Civil Aviation Organization.

Complimentary close and signed by Roberto Kobeh Gonzalez. (End text of ICAO acceptance)

BLISS MARSHALL